

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
) CRIMINAL NO. 03-30047-MAP
v.)
)
)
MELVIN RICHARDSON,)
Defendant.)
)
)

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §3161(h)(8). In support of this motion the government states that on January 28, 2004, counsel for Defendant, Vincent Bongiorni, noticed the government and the Court, of the Defendant's intention to file a motion to dismiss the indictment. The Court, after conferring with counsel, scheduled the motion to be filed by February 28, 2005, and the government's opposition by March 25, 2005.

The Defendant, through his counsel, Attorney Bongiorni, has assented to the government's request to exclude this time.

It is in the best interests of the Defendant, the government, and the public to allow a delay in order for the Defendant to file a motion to dismiss, and to exclude the time from January 28, 2005 until February 28, 2005, from the period within which the trial of this case must commence under the

Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/s Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: January 28, 2005

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
January 28, 2005

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by mail by February 1, 2005, to Attorney Vincent Bongiorni, 95 State Street, Springfield, MA.

S/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney